

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 19, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHRYSTAL T.,

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:23-CV-03039-ACE

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

ECF No. 12

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 12. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Katherine B. Watson represents Defendant. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 12**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Appeals Council shall instruct the Administrative Law Judge (ALJ) to consider all pertinent issues *de novo*, including, but not limited to:
(1) evaluate the claimant's alleged trigeminal neuralgia, including determining whether it is a severe medically determinable impairment, and if so, whether it

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1 medically equals a listed impairment; (2) re-evaluate the claimant's subjective
2 complaints, in particular those about her trigeminal neuralgia, in accordance with
3 agency policy, providing valid and accurate reasons for the conclusions reached;
4 (3) include all supported functional limitations in the residual functional capacity;
5 and (4) reconsider whether the claimant can perform other work in view of her
6 particular limitations, obtaining additional vocational expert testimony if
7 warranted.

8 The ALJ shall offer Plaintiff the opportunity for a new hearing, take any
9 further action needed to develop the record, and issue a new decision.

10 2. **Judgment shall be entered for PLAINTIFF.**

11 3. Plaintiff's Opening Brief, **ECF No. 10**, is **STRICKEN AS MOOT**.

12 4. An application for attorney fees and costs may be filed by separate
13 motion.

14 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
15 Order, forward copies to counsel, and **CLOSE THE FILE**.

16 DATED July 19, 2023.



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A handwritten signature in blue ink, reading "Alexander C. Ekstrom", is written over a horizontal line.

ALEXANDER C. EKSTROM

UNITED STATES MAGISTRATE JUDGE